



HOUSE BILL 819: Alternate Observers at Voting Places.

2021-2022 General Assembly

Committee:	House Election Law and Campaign Finance Reform. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	May 5, 2021
Introduced by:	Reps. Mills, Hanig, Kidwell, K. Hall	Prepared by:	Hillary Woodard, Sarah Pilon, and Jessica Sammons
Analysis of:	First Edition		Committee co-counsel

OVERVIEW: *House Bill 819 would do the following:*

- *Authorize an observer to alternate with another observer throughout the day of an election at the option of the appointing authority, with no time constraints on how long each observer must serve, and*
- *Clarify the procedure for political party chairs and unaffiliated candidates to designate observers and provide the list of designated observers to county boards of elections and chief judges of affected precincts.*

CURRENT LAW: The county chair of each political party can designate two observers to attend each voting place at each primary and general election. The designated observers may serve either as county precinct-specific observers or county at-large observers. In addition to these two observers, the chair of each political party in the county can also designate 10 additional county at-large observers, who can attend any voting location in the county. Further, the chair of each political party in the State can designate up to 100 additional State at-large observers, who can attend any voting location in the State.

An unaffiliated candidate or his or her campaign manager can also designate two observers to attend each voting place.

No more than two precinct-specific observers may be in the voting enclosure at any time. In addition, one at-large observer from each political party may also be in the voting enclosure. Each observer may be relieved during the day after serving a minimum of four hours, at the option of the chair, provided all names are included on the list the chair of the political party is required to file.

Depending upon the type of observer, a list of all the names of observers must be filed with specified individuals, as follows:

- County Precinct-Specific Observers - Each county party chair must provide the chief judge and the chair of the county board of elections with a signed list of individuals designated as observers by 10:00AM five days before an election. The chair of the county board of elections must provide the chief judge with a list of observers before the opening of polls.
- County At-large Observers - Each county party chair must provide the county director of elections and the chair of the county board of elections with a signed list of individuals designated as observers before 10:00 A.M. five days before an election. The county director of elections must provide the chief judge with a copy before the opening of polls.

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- State At-large Observers - Each State party chair must provide the county director of elections and the chair of the county board of elections with a signed list of individuals designated as observers by 10:00 A.M. five days before an election. The county director of elections must provide the chief judge with a list of observers before the opening of polls.

The county chair of a political party can also appoint an observer or runner to receive a list of voters in that precinct on election day. A complete list of runners must be provided to the county board of elections before 10:00 A.M. on the fifth day before the elections. Each party is only entitled to one voter list at each scheduled time.

BILL ANALYSIS: The bill would do the following:

- Allow observers to be relieved as needed throughout the day of the primary or election, as follows:
 - Each observer who is to serve must be included on the list of observers submitted to the county board.
 - Precinct-specific observers must alternate with other precinct-specific observers and county at-large observers must alternate with either State or county-at large observers.
 - No more than two precinct-specific observers and one at-large observer can be in the voting enclosure at one time.
- Clarify who may appoint observers and the process for doing so, as follows:
 - Precinct-Specific Observers – The appointing authority must submit a list of individuals designated as observers to the county board of elections. Prior to the opening of polls on the day of a primary or general election, the county board of elections must submit a list of observers to the chief judge of each affected precinct.
 - County at-large Observers – The appointing authority must submit a list of individuals designated as observers to the county board of elections. Prior to the opening of polls, the county board of elections must submit a list of observers to the chief judge of each precinct in the county.
 - State at-large Observers – The State appointing authority must submit a list of individuals designated as observers to the State Board of Elections, who must then give this list to each county board of elections. Prior to the opening of polls, the county board of elections must provide a list of observers to the chief judge of each precinct in the county.

The bill also makes conforming changes to clarify that observers can be appointed to serve a political party or an unaffiliated candidate.

EFFECTIVE DATE: Effective October 1, 2021 and applies to elections held on or after that date.